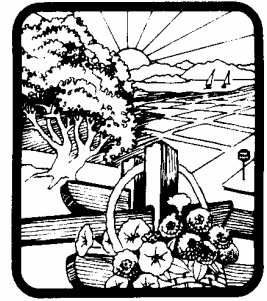


SCOPE
Santa Clarita Organization for Planning and the Environment
TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY
AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY
POST OFFICE BOX 1182, SANTA CLARITA, CA 91386



7-17-07

Deborah Smith, Interim Executive Director
Blythe Ponck-Bacharowski, Permit Planner
California Regional Water Quality Control Board – Los Angeles Region
320 W. 4th St. Suite 200
Los Angeles, CA 90013

Re Tentative Waste Discharge Permit Requirements and NPDES Permit #CA0064556–
Newhall Ranch Sanitation District, Newhall Ranch Sanitation District Plant.

The Santa Clara River is the last unchannelized and most wild river in Los Angeles County. It is home to many endangered species and contains some of the last rare plants and native riparian habitat in the County. Since effluent from the existing treatment facilities in the Santa Clarita City area (the Saugus Treatment Facility and the Valencia Treatment Facility) are causing serious water quality problems to downstream economic and biological resources, we appreciate the opportunity to comment on this permit. It is our hope that sufficient and rigorous conditions will be included in this permit to eliminate recurrence of the upstream water quality issues in this new permit.

Timing of Permit Issuance

However, we believe that issuance of this permit is premature. Although we understand that the NPDES permit is not legally linked to other land use approvals, the reality is that a Sanitation District will not be built without a land use that produces effluent. While there is a specific plan for the Newhall Ranch project that this facility is proposed to serve, no tract maps have yet been approved. The first phase of this treatment facility will serve approximately 17,000 residents and provide treatment for 2 million gallons a day. There is a tract map moving through the County planning process for 1444 units (Landmark Village), but for other tracts, not even a Notice of Preparation has been released. Acquisition of adequate water supplies to serve this project is a serious impediment to its ultimate approval. Without approval of those units, this facility will not be needed.

The above fact contradicts and invalidates your Statement of Findings for Order R4-2007-XXX, Item E. page 6, regarding CEQA compliance.

Further, there is no Army Corps. 404 permit for this facility. This may sound like a minor matter, but because the Newhall Ranch Co. has applied for a permit that will allow for all activities in the approximately 15 mile stretch of the Santa Clara River encompassing the Newhall Ranch project over a twenty year period, the permitting process will be extensive and may be contentious. The comparable permit issued in the City of Santa Clarita has not

been protective of endangered species and habitat, so the environmental community will be looking closely to see that these issues are addressed in any new permit.

These two issues may be resolved but will most likely cause a serious delay to any anticipated start up date in 2009. Since technology and cumulative impacts will change rapidly in this developing area (where app. 30,000 units are already approved upstream, but not yet built), we believe it is not protective to prematurely approve conditions and requirements that may need to be more stringent in the future.

An approval timetable that more closely adheres to actual need for the permit will allow the inclusion of needed conditions and BMPs to address new issues. These include emerging contamination issues such as those discussed in the attached article from the SF Chronicle and in more detail in the Environmental Working Group's report "Down the Drain", found at their website at: www.ewg.org/reports/downthedrain, and hereby included by reference.

Chloride and other limits

As the RWQCB is very aware, many reaches of the Santa Clara River are on the 303d list for exceedences of chlorides and ammonia. Generally, these exceedences are a result of effluent from the two upstream Sanitation District plants' outfalls. Any additional contaminants from a new plant would therefore have an increased cumulative impact to basins that are already impaired by these exceedences. (For example as attached, Study of Increasing Chloride Levels in Piru Basin, Steven Bachman, Ph.D.). Therefore it is imperative that this permit contain strong conditions and regulatory enforcement mechanisms such as daily fines that will guard against any further exceedences as described at page 22 items r and s.

This is especially important because much of the project may rely on imported water that is high in salts than the local ground water. Additionally, testing from local ground water wells that are supposedly going to be used for the first phases of the project (see condition # *** of the Specific Plan approval), is higher in salts and TDS than ground water found elsewhere in the Santa Clara Valley (charts are available in the Newhall Ranch and Sanitation Plant EIR and will be submitted upon request).

In light of these existing exceedences it is imperative that the chloride limit of 100 mg/L TMDL as listed on the fact sheet summary, not be exceeded or increased at a future date. This is a new plant that supports effluent that does not yet exist. If it cannot comply now AND in the future with the 100 mg/L baseline, it should NOT be permitted. We believe that this limit is required by law under the Anti-Degradation Policy of the Clean Water Act and Porter-Cologne Act.

Disposal of Brine from reverse osmosis operations

A reverse osmosis plant will require brine disposal and substantial use of energy that may not be available. These issues are not addressed in the permit application, nor were they addressed in the EIR. There is no brine line on the Santa Clara River, neither is there funding nor any environmental documentation in place to support building such a facility including traffic impacts from additional truck traffic that might be needed to transport high brine

effluent to a disposal location. Please state conditions that address the proper disposal of brine and require a disposal plan.

Temperature

This permit application includes a temperature limit of 86F (p. 12, Discharge Prohibitions, Item D.) We believe that this limit is not protective of the aqueous and amphibian species, including the Unarmored Three-spine stickleback fish, a listed endangered species and California Species of Special Concern that exist in the Santa Clara River in these reaches. We request that the Regional Board or the applicant provide studies showing that this temperature will support fish and allow breeding of all aqueous and amphibian species dependent on this stream flow. Again, the upstream sanitation plant discharges have been observed exceeding this level where water entering the river produces steam in the winter.

We believe that the above temperature perimeter conflicts with required surface water temperature limitations as listed on page 18.

Other Issues that should be addressed

We do not see a description for volume of existing stream flow. How much of that flow is contributed by existing upstream Sanitation Plant effluent? How will existing flow affects the calculations of the downstream water quality? Are monitoring locations situated to ensure accurate garb sampling of effluent generated solely by the new filtration plant?

Microfiltration should enable lower water quality contaminant limits. Why aren't the lower limits required? In reviewing permit requirements from other states such as Illinois it appears that higher standards are both required and achieved. If BMPs are available to achieve such standards, why isn't the Los Angeles Regional requiring them? (See NPDES Permit No. IL0077836, Notice No. AAH:06020803.bah, Wonder Lake Water Reclamation Facility and attached Louisiana permit which shows tighter limits for BOD and TSS.)

This permit seems to just put off the issue of reuse of the water, saying it will be addressed in another order. We object to the deferring of this issue, because once the permit allows discharge of 100%, the Newhall Sanitation District could abandon their plans to reuse the water with no consequence.

Use of Recycled water – Spreading conditions (at total load of salt?) Attachment E. page E-18 states that land discharge limits are not applicable. Since the permit states that some effluent is planned for irrigation, some limits should be imposed. We do not find a description of any proposed irrigation/spreading plan described in the permit. Should this be a special related permit?

Concluding Remarks

We concur with and join in the comments submitted to this Board by the Sierra Club, Heal the Bay and the Friends of the Santa Clara River.

We request notification of all hearings, permit change applications or other notifications of any kind or other public documents that become available regarding this NPDES permit and Order.

Sincerely,

Lynne Plambeck

Lynne Plambeck

President

Attachments:

Article on Emerging Contaminants, SF Chronicle

Piru Basin Chloride Study

Louisiana Sanitation Facility Permit